IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	) **Mail Stop AMENDMENT**
	)
Koichi Shibata et al.	) Group Art Unit: 2625
	)
Application No.: 10/772,436	) Examiner: Mark R. Milia
	)
Filed: February 6, 2004	) Confirmation No.: 6119
	)
For: IMAGE PROCESSING APPARATUS FOR RECEIVING A REQUEST RELATING TO IMAGE	))))

RESPONSE TO INTERVIEW SUMMARY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants appreciate the courtesies extended Applicant's representative during the August 18, 2010 interview. The substance of the discussion is incorporated into the Remarks herein and constitute Applicants' record of the interview.

Claims 1-23 are rejected under 35 U.S.C. §102(e) or alternatively under 35 U.S.C. §103(a), as being allegedly unpatentable over US 2004/0070782, hereinafter *Mihira*.

According to the present invention, a first control program includes a first API that is configured to receive, with the use of a predefined function, a request relating to an image processing from the second control program. In addition, a second control program includes a second API that is configured to receive a request relating to an image processing from an external source, ***wherein commands, parameters, and syntax for controlling the hardware resource are released to***

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the public for incorporation by external users into software supported by the
second API.

Mihira lacks any disclosure that teaches or suggests the above features of the
invention. Because of the deficiency, Mihira cannot achieve the advantageous effect
of the present invention. That is, the image processing apparatus according to the
present invention allows easy extension of the functionality to an external source,
and that extension is made with no or little alterations to existing applications. In
contrast, the image processing apparatus according to Mihira totally differs in
structure from the present invention and thus cannot achieve the advantageous
effect described above.

The Examiner contended that the API 51, API 52 and elements 25 - 27 of
Mihira correspond to the claimed second control program. It is noted, however, that
both the API 51 and the WSF 27 merely pass to SF 28 a processing request that is
received from an external source with the use of SOAP. More importantly, there is
no teaching or suggestion in Mihira that the elements 25 and 26 are configured to
receive a request relating to an image processing from an external source, and
which the converts the received request to a command supported by the first API,
wherein commands, parameters, and syntax for controlling the hardware
resource are released to the public for incorporation by external users into
software supported by the second API.

Thus, the cited portions Mihira fail to disclose a combination as now defined
by the independent claims.

Independent claim 7 states that the second control program includes a
second API for receiving a second request relating to image processing from an
external source, and converts the received second request to a command supported

by the first API. Independent claim 13 states that the second control program includes a second API for receiving a third request and converts the received third request to a command supported by the first API. Claim 18 recites, among other features, that the second control program includes a second API for receiving a third request relating to image processing from an external source, and converts the received third request to a command supported by the first API.

Mihira is totally silent on the features that **commands, parameters, and syntax for controlling the hardware resource are released to the public for incorporation by external users into software supported by the second API**.

Dependent claims 21-23 each recite the second API as a collection of sets of functions that are predefined by the first control program that are defined by a single collective function. In a non-limiting example described in Applicants' published specification at paragraph [0047], the external API 361 is a collection of a plurality of sets of functions that are predefined. For example, when a series of operations performed by a specific device is defined as functions A, B and C, the three functions are defined collectively as function D in the external API 361. Because a series of operations is defined by a single function, an external user is allowed to call a series of operations by calling the function D from a PC 50. The feature of the second API is not disclosed in *Mihara*.
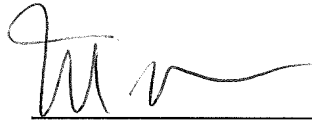
No agreement was reached.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: September 27, 2010   By: _____

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